THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.21863 OF 1999

DATED: 17-04-2007

Between:-

Vasupilli Bodiyya

.. Petitioner

and

The Assistant Director of Fisheries-cum-Ex.Officio Dy.Registrar of Cooperative Societies, Visakhapatnam and others.

.. Respondents

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.21863 OF 1999

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the 1st respondent in not passing any orders on the petitioner's application, dated 12.04.1999, seeking membership in 4th respondent-Society, as illegal; and consequently to direct the 1st respondent to pass orders on the said application.

The brief facts of the case are that the petitioner, who is a fisherman, along with 48 other fishermen, submitted an application, dated 12.04.1999, to the 1st respondent seeking admission into the 4th respondent-Fishermen Cooperative Society as members. On such application, the 1st respondent, vide memo dated 26.05.1999, directed the 2nd respondent to enquire into the matter and submit a report. Consequently, a committee consisting of three members constituted by the 2nd respondent has conducted skill test to the petitioner and the said 48 other fishermen, in which all of them were succeeded, and to that effect the committee issued a certificate dated 12.08.1999. Thereafter, the 2nd respondent submitted his report, dated 01.09.1999, to the 1st respondent. The petitioner complains that in spite of receipt of the said report, the 1st respondent did not pass any orders on his application. The petitioner further alleges that the General Body of the 4th respondent Society, vide resolution dated 19.08.1999, has

unanimously resolved to admit him and the said 48 others as members of the Society and also collected admission fees and share capital from them, but, since no orders were passed by the 1st respondent, they were not declared as members of the 4th respondent Society.

Heard both sides.

Since the grievance of the petitioner is that his application, dated 12.04.1999, seeking membership in the 4th respondent Society is pending before the 1st respondent, the 1st respondent is hereby directed to pass appropriate orders on the said application.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

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GOPALA KRISHNA TAMADA, J

17th April, 2007
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